

THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NUMBER 07-140

BEING A BY-LAW TO AUTHORIZE AN AGREEMENT BETWEEN AGI TRAFFIC TECHNOLOGY INC. AND THE CITY OF PETERBOROUGH FOR THE SUPPLY AND INSTALLATION OF LED TRAFFIC SIGNAL AND PEDESTRIAN SIGNAL INDICATIONS. (T-38-07)

THE CORPORATION OF THE CITY OF PETERBOROUGH BY THE COUNCIL THEREOF HEREBY ENACTS AS FOLLOWS:

1. That the Mayor and Clerk be and they are hereby authorized to execute an agreement with AGI Traffic Technology Inc., attached hereby as Schedule "A", and to affix the Seal of the Corporation thereto.

By-law read a first, second and third time this 1st day of October, 2007

(Sgd.) D. Paul Ayotte, Mayor

(Sgd.) Nancy Wright-Laking, City Clerk

**CITY OF PETERBOROUGH
TENDER CONTRACT T-38-07**

**SUPPLY / INSTALLATION OF LED REPLACEMENT KITS AND RELATED
TRAFFIC SIGNAL EQUIPMENT**

THIS AGREEMENT made in triplicate this ____ day of _____ 2007.

BETWEEN:

AGI Traffic Technology INC.
(the "Contractor")

Address:
2960 Markham Road
Scarborough, ON M1X 1E6

- AND -

THE CORPORATION OF THE CITY of PETERBOROUGH
(the "City")

WITNESSETH, that the Contractor, for and in consideration of the payment or payments specified in the Tender for this work, hereby agrees to furnish all necessary machinery, tools, equipment, supplies, labour and other means of construction and, to the satisfaction of the City, to do all the work as described hereafter, furnish all the materials except as herein otherwise specified, and to complete such works in strict accordance with the plans, specifications and Tender documents therefore, which are identified and acknowledged in the General Requirements, General Terms and Conditions, Tender Details, Specifications and Supplementary Specifications attached to the Tender and all of which are to be read herewith and form part of this present Agreement as fully and completely to all intents and purposes as though all the stipulations hereof have been embodied herein.

DESCRIPTION OF THE WORK

A description of the work under Contract T-38-07 includes the supply / installation of new traffic signal heads; pedestrian heads; and LED replacement kits within the boundaries of the City of Peterborough as outlined in Appendix C – Intersection Worksheets within the tender document.

**CITY OF PETERBOROUGH
TENDER CONTRACT T-38-07**

**SUPPLY / INSTALLATION OF LED REPLACEMENT KITS AND RELATED
TRAFFIC SIGNAL EQUIPMENT**

A G R E E M E N T

The Contractor further agrees that he will deliver the whole of the works completed in accordance with this Agreement within the time stipulated in the Tender, Bid FIFTY (50) WORKING DAYS.

The Contractor agrees that any monies due to the City as a result of non-completion of the works within the time stipulated may be deducted from any monies due to the Contractor on any account whatsoever.

IN CONSIDERATION WHEREOF, said party of the second part agrees to pay to the Contractor for all work done, the unit prices on the Tender.

This agreement shall inure to the benefit of and be binding upon the heirs, executors, administrators and assigns of the parties hereto.

IN WITNESS WHEREOF, the Contractor and the City have hereunto signed their names and set their seals on the day first above written, or caused their corporate seals to be affixed, attested by the signature of their proper officers, as the case may be.

Witness of the Corporation

Signature of Contractor & Seal

I have the authority to bind the Corporation

Witness

Mayor, City of Peterborough

Witness

Clerk, City of Peterborough